

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of New Jersey

United States of America

v.

Jeffrey Spicer

Case No.

14 - 2033 (JS)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 13 through March 16, 2014 in the county of Cape May in the  
District of New Jersey, the defendant(s) violated:

Code Section

Offense Description

SEE ATTACHMENT A

This criminal complaint is based on these facts:

SEE ATTACHMENT B

☒ Continued on the attached sheet.



Complainant's signature

Brian Teague, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 07/15/2014




Judge's signature

City and state: Camden, New Jersey

Honorable Joel Schneider, U.S. Magistrate Judge

Printed name and title

CONTENTS APPROVED  
UNITED STATES ATTORNEY

By:   
Matthew J. Skahill  
Assistant U.S. Attorney

Date: July 15, 2014

ATTACHMENT A

From on or about March 13, 2014 to on or about March 16, 2014, in Cape May County, in the District of New Jersey, and elsewhere, defendant

JEFFREY SPICER

did knowingly receive more than 3 images of child pornography, as defined in Title 18, United States Code, Section 2256(8), which had been saved to his cellular telephone, each of which had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and (b)(1) and Section 2.

ATTACHMENT B

1. I, Brian Teague, am a Special Agent with Homeland Security Investigations (“HSI”) within the United States Department of Homeland Security. I have personally participated in this investigation and am aware of the facts contained herein based upon my own investigation as well as information provided to me by other law enforcement officers. Since this Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not necessarily included each and every fact known to the Government concerning this investigation.

2. On or about March 19, 2014, law enforcement officers from HSI, the Lower Township, New Jersey Police Department and the Cape May County Prosecutor’s Office, executed a search warrant, authorized by a United States Magistrate Judge, at a home in Cape May, New Jersey, (“Subject Premises”). At the time of the search warrant’s execution, the Subject Premises was the residence of Jeffrey Spicer and Spicer’s companion. Law enforcement officers seized various forms of electronic and digital media from the Subject Premises pursuant to the search warrant, including but not limited to a Samsung Galaxy S III cellular telephone (the “Galaxy S III”), a “Cruzer” 4 gigabyte computer thumb drive, and a Seagate computer hard drive.<sup>1</sup>

3. In connection with the search warrant’s execution, Spicer was advised of and read his Miranda rights. Spicer signed a waiver of his Miranda rights indicating that he understood these rights and wished to waive them and speak with law enforcement officers. Spicer was then interviewed and admitted, in sum and substance, to downloading and receiving child

---

<sup>1</sup> The Galaxy S III is a smartphone, developed by Samsung that runs on the Android mobile operating system. The Galaxy S III has the features of a touchscreen computer and has the ability to access the Internet either through a Wi-Fi connection or through a data plan with a wireless service provider.

pornography. Spicer advised that he owned a Samsung Galaxy cellular telephone and provided the telephone number associated with the cellular telephone. Spicer stated that he has received emails containing child pornography from unknown individuals. Spicer also said that he downloads mostly videos of child pornography, that he will “get off” and then he will normally delete the file immediately.

4. On or about June 05, 2014, a forensic review of the Galaxy S III cellular telephone seized during the execution of the search warrant was conducted. The telephone number associated with this Galaxy S III was the same one that Spicer provided to law enforcement officers on March 19, 2014 as his telephone number. Additionally, the social media applications and email address linked to the Galaxy S III were associated with Spicer. Among the programs discovered on the Galaxy S III was an application or “app” called “Keepsafe”.<sup>2</sup> The application, Keepsafe, contained numerous images of child pornography, as defined by Title 18, United States Code, Section 2256(8). At least ten of the images contained within Keepsafe were screenshots taken while the operator of the Galaxy S III was viewing child pornography on other users’ Instagram accounts.<sup>3</sup> Three of the images found within Keepsafe were described, based on my personal review of them, as follows:

- a. File name: “Screenshot\_2014-03-13-07-00-00.png”  
SHA1 - 7e3d46f5e20f817b72f6a9bda92a6015fdd7a512 - This image depicts a nude prepubescent male lying on his stomach with a pillow propped under his

---

<sup>2</sup> Keepsafe is a password protected cellular telephone application which acts as an encrypted vault that allows users to hide pictures and video in a secret gallery within the application on the telephone. Spicer provided law enforcement officers with the password to access the Keepsafe application.

<sup>3</sup> Instagram is an online mobile photo and video sharing social networking service that enables its users to take pictures and videos and share them on social networking services. A screenshot is an image taken by the user of a cellular telephone to display the visible items on the telephone’s screen. A screenshot can be taken of the items being viewed on the Internet by the cellular telephone’s user.

stomach. A pubescent male is inserting his penis into the prepubescent male's anus. This image is a screenshot taken of a photograph in another user's Instagram account.

- b. File name: "Screenshot\_2014-03-16-08-48-13.png"  
SHA1 – 269b6eaccacf1841d18b1f91ba680601dd27fb48 - This image depicts a prepubescent boy kneeling on the floor holding an Apple iPad. The iPad is covering the child from the waist up however; the boy's genitals are exposed. This image is a screenshot taken of a photograph in another user's Instagram account.
- c. File name: "Screenshot\_2014-03-15-13-31-50.png"  
SHA1 – a3ff3da544ce9d7aeda580bdbea4022b7ac3f899 - This image is a black and white screenshot which depicts four nude prepubescent males showering together, three of the boys' genitals are exposed. This image is a screenshot taken of a photograph in another users Instagram account.

5. Based on the file names of the above referenced images and a forensic analysis of the cellular telephone, law enforcement officers were able to determine that these images were received on the Galaxy S III by using the telephone's Internet capability to access Instagram and using the telephone to take screenshot photographs of Instagram webpages on March 13, 2014, March 16, 2014 and March 15, 2014, respectively. As of the date of this Affidavit, law enforcement officers have identified over 100 images of child pornography on the Galaxy S III and 2 videos of child pornography. As of the date of this Affidavit, law enforcement officers have additionally identified approximately 34 videos of child pornography on the "Cruzer" thumb drive and approximately 200 images and 1 video of child pornography on the Seagate hard drive.

6. Based upon my education, training, and experience, and my discussions with other law enforcement officers, the images described above in paragraphs 4a through 4c, were shipped and transported in and affecting interstate or foreign, including by computer, because Spicer received these images on the Galaxy S III by accessing them over the Internet, which is an instrumentality and channel of interstate and foreign commerce.

7. It is further requested that this complaint and accompanying Affidavit be sealed until further order of the Court. These materials discuss an ongoing criminal investigation. The public disclosure of this complaint and accompanying Affidavit could result in the flight of the defendant, who is currently not in custody, or otherwise jeopardize the investigation if the defendant becomes aware of the existence of these materials prior to the effectuation of his arrest.